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TITLE 327 WATER POLLUTION CONTROL BOARD

LEGISLATIVE SERVICES AGENCY OFFICE OF FISCAL AND MANAGEMENT ANALYSIS

301 State House

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ADMINISTRATIVE RULE FISCAL IMPACT STATEMENT

PROPOSED RULE: LSA #01-95

DATE PREPARED: Mar 10, 2003

STATE AGENCY: IDEM

DATE RECEIVED: Jan 24, 2003

FISCAL ANALYST: Bernadette Bartlett

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Digest of Proposed Rule: This rule is being initiated due to the new federal Phase II program regulations for storm water discharges. The National Pollutant Elimination System (NPDES) storm water Phase II final rule was published on December 8, 1999, at 64 FR 68722. Therefore, amendments to 327 IAC 15-5, storm water run-off associated with construction activity, and 327 IAC 15-6, storm water discharges associated with industrial activity, seek to modify and revise the existing rules to add the federal Phase II requirements, add changes to the Phase I program, and add clarity and effectiveness to the existing program. Revisions are also being made to 327 IAC 15-2 and 327 IAC 15-3, to bring them in line with the proposed amendments to the storm water rules.

Governmental Entities: There are no unfunded mandates placed upon any state or local agency by the proposed changes.

Regulated Entities: The rule would designate three new industrial sectors for regulation that are not under the current federal storm water program. The three new sectors are:

- (1) Agricultural fertilizer/pesticide storage facilities;
- (2) Truck refueling facilities with on-site vehicle maintenance operations;
- (3) Solid waste transfer stations.

The proposed rule would affect an estimated 730 facilities. Total annual cost for these regulated entities is estimated to range from \$1,433,720 to \$1,941,800. A breakdown of costs incurred is listed in the table below.

Item	Initial Cost Per Facility (1st year or one-time cost)	Total Cost Per Facility Over 5-year Permit Term	Cost Per Facility Per Year (Total Cost/5 years)
Storm Water Pollution Plan Development	\$2,568–\$4,767	\$2,568–\$4,767	\$514–\$953
Notice of Intent Submittal	\$867–\$1,233	\$867–\$1,233	\$173–\$247
Grab Sample Collection	\$274	\$1,370	\$274
Grab Sample Analysis	\$143	\$715	\$143
Annual Report	\$750–\$933	\$3,750–\$4,665	\$750–\$933
Application Fee	\$50	\$50	\$10
Annual Fee	\$100	\$500	\$100
Totals	\$4,652–\$7,500	\$9,320–\$13,300	\$1,964–\$2,660

Type of Facility	Number of Facilities	Annual Costs for 5 years
Agricultural Fertilizer/Pesticide Storage Facilities	550	\$1,080,200–\$1,463,000
Truck Refueling Facilities with On-site Vehicle Maintenance Operations	130	\$255,320–\$345,800
Solid Waste Transfer Stations	50	\$98,200–\$133,000
Total Annual Costs	730	\$1,433,720–\$1,941,800

Information Sources: Kiran Verma, Indiana Department of Environmental Management (317) 234-0986.